Book Review (reviewing Beth A. Simmons, Mobilizing for Human Rights: International Law in Domestic Politics)

Adam S. Chilton

Follow this and additional works at: http://chicagounbound.uchicago.edu/journal_articles

Part of the Law Commons

Recommended Citation
this explanation is undermined by the example of Kenya, where ostensibly strong property rights institutions could not prevent later threats and execution — of expropriation on a massive scale.

The most valuable contribution of this book to the new institutionalism literature is its contention that there must be politics at play behind the strengthening and weakening of property rights in the developing world, and that political motivations do not necessarily coincide with aspirations to strengthen property rights. Unless those who argue for the protection of property rights through revised laws and overhauled registry systems understand the implications of this argument, they will find it next to impossible to enact lasting reform.

—Rachel Crouch


In Mobilizing for Human Rights, Beth Simmons combines sophisticated quantitative analysis and in-depth case studies to dispel the commonly held skeptical view that “international law has done very little to improve the rights chances of people around the world.” Instead, Simmons attempts to provide proof that the ratification of international human rights treaties meaningfully alters state behavior and leads to a direct increase in respect for individual rights. To do so, the book attempts to address a classic question of international law: why do countries make commitments to their peers to respect the rights of their citizens, and how do those commitments have valence when there are not sufficiently coercive international mechanisms to compel compliance? To answer this question, Simmons first outlines a theoretical causal mechanism to explain why human rights treaties alter state behavior, and then provides empirical evidence to support her theory.

In Part I of the book, Simmons develops a theory to explain states' compliance with human rights treaties based on domestic politics. Simmons argues that even though international organizations have limited ability to enforce treaty regimes, a state's ratification of a human rights treaty provides a powerful tool for internal political discourse. After ratification, domestic political actors are able to appeal to the authority of the treaty to pressure the government to improve its rights practices. This pressure can be applied through both formal channels, such as legal challenges to state behavior, and informal channels, such as mobilized social movements.
According to the theory, although the exact mechanism may vary by treaty, ratification helps to define the magnitude of the expectation gap between a state’s commitments and its actual practices.

In Part II of the book, Simmons presents empirical evidence that supports her theory about the impact treaties have in providing leverage in domestic politics. To do so, Simmons compiles an impressive data set on the ratification of six major human rights treaties that have sought to ensure civil rights, protect the rights of women, eradicate the use of torture, and guarantee the rights of children. Using compliance with these treaties as the dependent variable, Simmons then tests a range of explanatory variables to provide robust statistical evidence supporting her theory that ratification has a statistically significant relationship with compliance for each treaty evaluated.

Although Simmons’ work constitutes the most thorough empirical analysis of the effect of human rights treaties to date, the book does have a few admitted shortcomings. First, due to limitations on causal inferences in statistical analysis, Simmons’ work can only definitively document correlations and not causations. Since the quantitative models control for other competing explanatory variables in their design, however, the case for causation is stronger than in previous studies. Second, although the book is able to document a positive effect on state behavior as a result of the ratification of human rights treaties over the previous sixty years, there is no guarantee that the theory provided by the book will continue to be valid as international institutions evolve and the density of international commitments continues to increase. That said, Simmons’ effort should provide ample evidence to convince those concerned with the protection of human rights that instead of bemoaning the shortcomings and inefficacies of international law, increased efforts should be made to promote the use of international treaties. It is in this way that the book could have a potentially profound impact on our understanding of how international law can be mobilized to ensure the protection of human rights.

—Adam Chilton


How should principles grounded in ethics and human rights inform approaches to globalization in the production of goods and services? In *Human Rights and the Ethics of Globalization*, Daniel and Elizabeth Lee work to build